

**SURFACE TRANSPORTATION BOARD**  
**Washington, DC 20423**

**OFFICE OF ECONOMICS, ENVIRONMENTAL ANALYSIS, AND ADMINISTRATION**

January 9, 2006

Mr. Don Klima, Director  
Office of Planning and Review  
Advisory Council on Historic Preservation  
The Old Post Office Building  
1100 Pennsylvania Avenue, NW, #809  
Washington, DC 20004

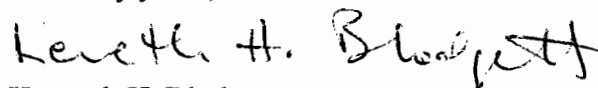
Re: AB-55 (Sub-No. 625X) – CSX Transportation, Inc., - Abandonment Exemption –  
in Preston County, West Virginia

Dear Mr. Klima:

CSX Transportation, Inc. (CSXT) filed a Petition for Exemption with the Surface Transportation Board (Board) on December 22, 2003, to abandon rail line in the above-referenced proceeding. In response to CSXT's notification regarding this proposed abandonment, the West Virginia SHPO wrote to CSXT on August 12, 2003, indicating that the line might be eligible for listing on the National Register of Historic Places.

The Section of Environmental Analysis (SEA) is the office within the Board responsible for conducting the environmental review process pursuant to the National Environmental Policy Act, including the National Historic Preservation Act (NHPA). Please find enclosed a copy of the Memorandum of Agreement (MOA) which resulted from the consultation process pursuant to the regulations implementing Section 106 of NHPA. The filing of this MOA with the Council completes our compliance responsibilities under Section 106 of NHPA.

Sincerely yours,



Kenneth H. Blodgett  
Section of Environmental Analysis

cc: Mr. Dave Geraci, CSX Transportation  
Ms. Susan M. Pierce, West Virginia Division of Culture & History  
Secretary's Office  
SEA Chron

**MEMORANDUM OF AGREEMENT**  
**BETWEEN**  
**THE SURFACE TRANSPORTATION BOARD,**  
**CSX TRANSPORTATION, INC., AND**  
**THE WEST VIRGINIA DIVISION OF CULTURE AND HISTORY**  
**REGARDING**  
**THE CSX ABANDONMENT OF THE KINGWOOD SUBDIVISION FROM ROWLESBURG**  
**TO THE END OF TRACK NEAR ALBRIGHT,**  
**PRESTON COUNTY, WEST VIRGINIA.**  
**STB DOCKET NUMBER AB 55 SUB NUMBER 625X**  
**WV SHPO FR# 03-699-PR-5**

**WHEREAS**, CSX Transportation Inc. (CSX) filed a petition for exemption with the Surface Transportation Board (STB) under 49 CFR 1152 Subpart F- Exempt Abandonments to abandon a 14.3 – mile rail line between Rowlesburg (Railroad Milepost BAJ 0.0) and end of track near Albright (Railroad Milepost BAJ 14.3), in Preston County, West Virginia (See Attachment 1) – STB Docket No. AB-55 (Sub-No. 625X), West Virginia Division of Culture and History Number FR 03-699-PR-5; and

**WHEREAS**, the Surface Transportation Board (STB) imposed a condition for the proposed abandonment that CSX must retain its interest in and take no steps to alter the historic integrity of all historic properties within the right-of-way that are eligible for listing in the National Register of Historic Places (National Register) until completion of the Section 106 process of the National Historic Preservation Act (NHPA), 16 U.S.C. 470f, has been completed; and

**WHEREAS**, the STB has consulted with the West Virginia Division of Culture and History (WV SHPO), pursuant to 36 CFR Part 800, regulations implementing Section 106 of the NHPA, and has determined that the proposed abandonment will have an effect on all bridge structures built prior to 1953, which are eligible for listing in the National Register of Historic Places (See Attachment 2); and

**WHEREAS**, the STB, in accordance with 36 CFR § 800.6(a)(1), has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination with specified documentation and the ACHP has chosen not to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii) (See Attachment 3); and

**NOW, THEREFORE**, CSX, STB and the WV SHPO agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

**STIPULATIONS**

In order to mitigate the adverse effect on historic properties, STB and CSX shall ensure that the following measures are carried out:

- I. Complete and provide the WV SHPO with a West Virginia Historic Property Inventory Form (HPI) for each bridge structure on the line segment determined to be eligible for listing in the National Register of Historic Places.

- II. Provide the WV SHPO with black and white photographs of the bridge structures in accordance with the guidelines set forth by the National Register and National Historic Landmarks Survey Policy (updated March 2005).

**NOW THEREFORE**, execution and submission of the MOA by the STB, CSX and the WV SHPO, and implementation of the stipulations, evidences that the STB has afforded the ACHP an opportunity to comment on the proposed action relating to the line, and that STB has taken into account the effects of the abandonment on historic properties and is satisfying the requirements of Section 106 of the NHPA (Title 16 USC Section 470(f)).

**SIGNATORIES:**

**SURFACE TRANSPORTATION BOARD**

By: \_\_\_\_\_  
Victoria Rutson  
Chief, Section of Environmental Analysis

Date: \_\_\_\_\_

**WEST VIRGINIA DIVISION OF CULTURE AND HISTORY**

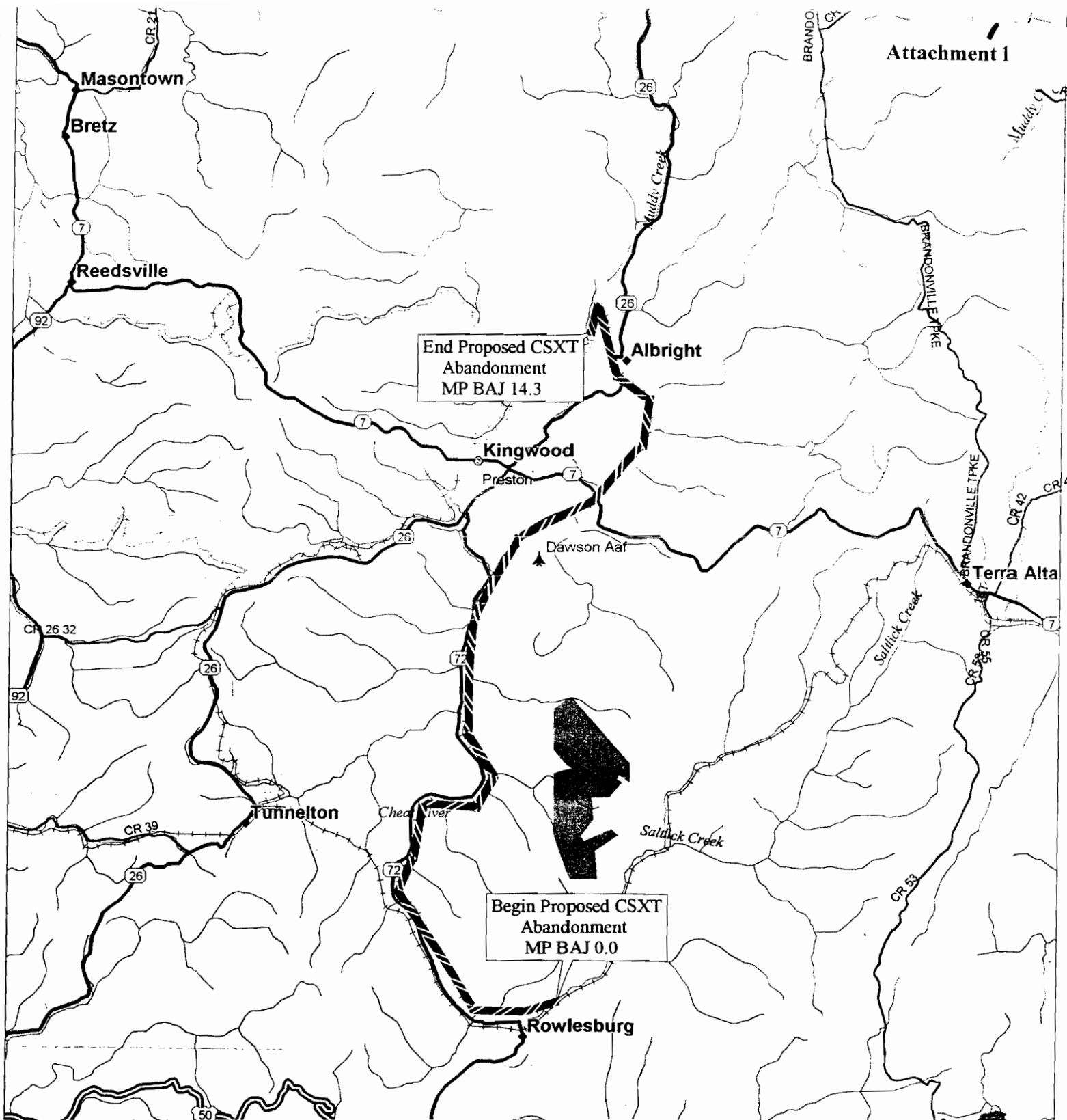
By: Susan Pierce  
Susan Pierce  
Deputy State Historic Preservation Officer

Date: 12/23/05

**CSX TRANSPORTATION, INC.**

By: Dave Geraci  
Dave Geraci  
Project Manager, Network Rationalization

Date: 12/13/05



## CSX Transportation, Inc.

Rowlesburg to Albright (Kingwood Subdivision),  
Preston County, West Virginia

14.3 Miles of track proposed to be abandoned

**SURFACE TRANSPORTATION BOARD**  
Washington, DC 20423

OFFICE OF ECONOMICS, ENVIRONMENTAL ANALYSIS, AND ADMINISTRATION

March 11, 2004

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Ms. Susan M. Pierce  
Deputy State Historic Preservation Officer  
West Virginia Division of Culture and History  
The Cultural Center  
1900 Kanawha Boulevard, East  
Charleston, WV 25305-0300

Re: AB-55 (Sub-No. 625X) - CSX Transportation, Inc. - Abandonment Exemption -  
between Milepost BAJ 0.0 at Rowlesburg to Milepost BAJ 14.3 near Albright, in  
Preston County, West Virginia

Dear Ms. Pierce:

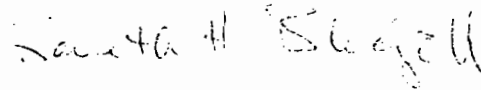
CSX Transportation, Inc. (CSX) filed a petition for exemption with the Surface Transportation Board (Board) on December 22, 2003, to abandon rail line in the above-referenced proceeding. In response to CSX's notification to you regarding this proposed abandonment, you wrote to Mr. Dave Geraci on August 12, 2003, stating that your determination that the rail line be considered eligible for listing on the National Register of Historic Places and that removal of track materials would constitute an adverse effect.

The Section of Environmental Analysis (SEA) is the office within the Board responsible for conducting the environmental review process pursuant to the National Environmental Policy Act, including the National Historic Preservation Act (NHPA). As the SEA staff person assigned to this case, I am writing to you to initiate the consultation process pursuant to the regulations implementing Section 106 of NHPA.

I hope that you or a member of your staff will contact me so that we can begin to work together, and with CSX, to seek ways to avoid or mitigate any adverse effects resulting from the proposed abandonment.

Thank you for your assistance and I look forward to working with you and your office as we fulfill our obligations under Section 106 for this case. My telephone is (202) 565-1554 and the fax number for my office is (202) 565-9000.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Kenneth H. Blodgett". The signature is written in a cursive, somewhat stylized script.

Kenneth H. Blodgett  
Section of Environmental Analysis

cc: Ms. Peggy Wilson, CSX Transportation, Inc.  
Mr. Don L. Klima, Advisory Council on Historic Preservation



Preserving America's Heritage

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March 30, 2004

Mr. Kenneth H. Blodgett  
Section of Environmental Analysis  
Surface Transportation Board  
Washington, DC 20423

REF: Proposed Rail Line Abandonment Project - (MP BAJ 0.0 and MP BAJ 14.3)  
AB-55 (Sub-No. 625X) - CSX Transportation, Inc.  
Preston County, West Virginia

Dear Mr. Blodgett:

On March 17, 2004, the ACHP received your notification and supporting documentation regarding the adverse effects of the referenced project on properties listed on and eligible for listing on the National Register of Historic Places. Based upon the information you provided, we do not believe that our participation in consultation to resolve adverse effects is needed. However, should circumstances change and you determine that our participation is required, please notify us. Pursuant to 36 CFR 800.6(b)(iv), you will need to file the final Memorandum of Agreement and related documentation at the conclusion of the consultation process. The filing of the Agreement with us is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with your notification of adverse effect. If you have any questions or require further assistance, please contact Karen Theimer Brown at 202-606-8505.

Sincerely,

Raymond V. Wallace  
Historic Preservation Technician  
Office of Federal Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 809 • Washington, DC 20004  
Phone: 202-606-8503 • Fax: 202-606-8647 • achp@achp.gov • www.achp.gov